

**STATE LICENSING BOARD FOR
RESIDENTIAL AND GENERAL CONTRACTORS
Residential Division Teleconference Meeting: January 9, 2013**

The State Licensing Board for Residential and General Contractors met on Wednesday, January 9, 2013 via teleconference, at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia, for the purpose of conducting Board business.

The following Board members were present:

Andy Cooper, Division Chairman
Bill Duck, Division Vice Chairman
Mark Herbert
Bob Barnard
Keely Fennell

Members absent:

Bobby Cleveland

Others present:

Darren Mickler, Executive Director
Swan LeGrand-Fleming, Board Support Specialist
Scarlett Shell, Assistant Attorney General

Call Meeting to Order

At 9:03 a.m., Board Chairperson Cooper established that a quorum was present and called the meeting to order.

Old/New Business

The Board discussed revisions made to Board Rule 553-11-.01. Mark Herbert made a motion to repost the amended Board Rule for public hearing and adoption on February 20, 2013. Bob Barnard seconded. The motion carried unanimously.

553-11-.01 Changes in Status Which Must Be Reported.

(1) A licensee shall report to the Board in writing the following occurrences:

(a) A change in address or location.

1. A change in mailing address or physical location for the individual or Qualifying Agent must be made in writing or online within 30 days of the change.
 2. A change in mailing address or physical location for the business organization must be made in writing or online within 45 days of the change.
 3. If a duplicate pocket card is desired, a form available online must be submitted along with a fee.
- (b) A change in the name of the business organization.
1. Notification must include evidence of the new name registered with the Secretary of State's office, if applicable.
 2. If a duplicate pocket card is desired, a form available online must be submitted along with a fee.
 3. This notification must occur within 45 days of the change.

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(c) A change in the business organization's structure.

1. If a business organization's structure changes (e.g., ABC, Inc. to ABC, LLC), this is not considered a name change.
2. To license the new business organization, a previously qualified Qualifying Agent may apply for licensure by prior approval by submitting the appropriate form, available online, and fee.
3. This notification must occur within 45 days of the change.

(d) A change in an individual's or qualifying agent's name.

1. Notification must include copies of legal name change documents (e.g. divorce decree, marriage license, etc.)
2. If a duplicate pocket card is desired, a form, available online, must be submitted along with a fee.
3. This notification must occur within 30 days of the change.

(e) A change in the Qualify Agent affiliation with a business organization.

1. Notification that a Qualifying Agent is no longer affiliated with a business organization must be reported by the Qualifying Agent within 30 days of disaffiliation.
 2. Notification that a Qualifying Agent is no longer affiliated with a business organization must be reported by an officer or an owner of the company within 45 days of disaffiliation.
 3. A Qualifying Agent license will have the status of "null and void" upon the Board's receipt of such notice.
 4. A Residential-Basic or Residential-Light Commercial Qualifying Agent will have ~~120 days~~ 1 year from the date of disaffiliation to submit an application for licensure by prior approval with the appropriate fee.
 5. A business organization will have 120 days from the date of disaffiliation to submit an application for another Qualifying Agent, unless the business organization has another Qualifying Agent.
 6. A Residential-Basic or Residential-Light Commercial Qualifying Agent who leaves a business organization and does not submit a prior approval application within ~~120 days~~ 1 year of disaffiliation must re-apply for licensure by examination. Exam scores that are less than two years old at the time of application may be used to meet the examination requirement.
- However, application for licensure is still required.

Authority O.C.G.A. Secs. 43-41-5, 43-41-6, 43-41-9.

Written Requests/Correspondence

Petition for Rule Waiver: The Division considered a petition for a waiver of Rule 553-11-.01 from Gary Robert Lausch. Discussion ensued. A motion was made by Bob Barnard, seconded by Mark Herbert and the Division voted unanimously to deny the petition. Applicant did not demonstrate a substantial hardship.

Ratifications

The Residential Division reviewed the list of applicants that have been previously reviewed and approved administratively or by Division members. A motion was made by Bob Barnard, seconded

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by Mark Herbert, and the Residential Division voted unanimously to ratify licenses issued from December 4, 2012 – January 8, 2013. The agenda was corrected to reflect the correct date.

Executive Session

At 9:12 a.m., a motion was made by Bob Barnard, seconded by Mark Herbert, and the Board members present: Bob Barnard, Andy Cooper, Keely Fennell, Bill Duck, Bobby Cleveland, and Mark Herbert, voted unanimously to enter into Executive Session in accordance with O.C.G.A. 43-1-2(k) and 43-1-19(h). No votes taken in Executive Session.

Open Session was declared at 9:22 a.m. to vote on discussions from Executive Session.

Application Discussion

The Residential Division reviewed the application and discussion ensued. The Board voted to accept the Cognizant's recommendation to deny this request.

Applicant # 1782334

With no other business to discuss, the Residential Division adjourned at 9:24 a.m.

Minutes recorded by:

Swan Fleming, Board Support Specialist

Minutes Edited/Reviewed by:

Darren Mickler, Executive Director